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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The President of the Security Council has the honour to transmit to the Council members the attached communication from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991).

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Annex

Letter dated 11 July 1994 from the Executive Chairman of the Special Commission addressed to the President of the Security Council

I have the honour to transmit herewith, for the information of the Security Council, a Joint Statement which was issued at the conclusion of talks held in Baghdad on 4 and 5 July 1994 between representatives of the Government of Iraq, on the one hand, and representatives of the Special Commission, established pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991), and of the International Atomic Energy Agency, on the other.

It will be recalled that, on 18 March 1994, I promised to provide the Council, in connection with its review in July 1994 under paragraphs 21 and 28 of resolution 687 (1991), with a full account of the stage which has been reached in the implementation of paragraphs 8 to 13 of the same resolution, insofar as they fall within the areas of responsibility of the Special Commission. I am ready to provide this account orally to the Council at such time as is convenient to it. However, it might be of assistance to also give to the Council a brief written summary where matters now stand in advance of such an oral account.

As regards the first responsibility of the Special Commission, to identify and to destroy or otherwise to dispose of Iraq's weapons of mass destruction and the capabilities for their production, as defined in paragraph 8 of resolution 687 (1991), the situation, in the absence of new and unexpected disclosures, is as follows:

(a) declared or otherwise identified chemical weapons, precursors and means for their production have been destroyed;

(b) declared biological research facilities have been eliminated and biological strains of concern to the Commission have been disposed of;

(c) the Commission now believes that it has a credible accounting for all of Iraq's missiles with a range greater than 150 kilometres and that such missiles remaining in Iraq after the termination of hostilities have been destroyed. Iraq's programme to develop a two-stage, long-range ballistic missile has been terminated.

A full understanding of all aspects of Iraq's past programmes in the above areas should, with the assistance of Member States, be mapped out in the near future. Had Iraq placed the relevant documentation on its past programmes at the disposal of the Commission this could already have been the case. However, in the light of Iraq's insistence that such documentation has been destroyed, it has been necessary to resort to other and more time-consuming procedures to verify Iraq's accounts of its past programmes. The Special Commission hopes to be able to report to the Council shortly that the full accounting of Iraq's past programmes, which the Council requires, has been arrived at.

The second of the responsibilities of the Special Commission and of the IAEA is to undertake ongoing monitoring and verification of Iraq's compliance with its undertaking not to use, develop, construct or acquire any of the items proscribed by paragraphs 8, 9 and 12 of resolution 687 (1991).

It is now a year since, in July 1993, Iraq indicated (S/26127), during the course of a visit that I paid to Baghdad, that it was prepared to comply with the provisions of the plans of ongoing monitoring and verification as contained in resolution 715 (1991). This indication represented a significant reversal of position by Iraq which had previously attempted to block any efforts by the Special Commission to introduce elements of ongoing monitoring of Iraq's dual-capable capabilities. Formal confirmation came, on 26 November 1993, in a communication from Iraq to the President of the Council (S/26811, annex), in which the Minister for Foreign Affairs recorded that "the Government of Iraq has decided to accept the obligations set forth in resolution 715 (1991) and to comply with the provisions of the plans for monitoring and verification as set forth therein."

Since the above developments, Iraq has extended its full cooperation in putting ongoing monitoring and verification in place in the areas coming within the responsibilities of the Special Commission. In January 1994, Iraq provided its first formal declarations under the monitoring plan, thus permitting the Commission to commence arrangements for monitoring each facility in the manner deemed most appropriate by the Commission. The progress which has been made since that time in putting the monitoring system into place in all areas, including the nuclear one, are detailed in the attached Joint Statement.

One major element in the plans for ongoing monitoring and verification which remains to be established is the mechanism for export/import control. A joint Special Commission/IAEA proposal for such a mechanism is now before the Sanctions Committee, as paragraph 7 of resolution 715 (1991) requires all three bodies to develop such a mechanism in cooperation for submission to the Council. It is hoped that the Committee's agreement will shortly be forthcoming. The proposal will then be put to the Council for its approval.

With a proven operational monitoring and verification system, including the export/import mechanism, the Commission and the IAEA believe that an effective and sustainable régime meeting the requirements of the Security Council will have been established. This will be reinforced by the continuing right of the Commission and the IAEA - a continuing right which has been acknowledged by Iraq - to conduct no-notice inspections under Security Council resolutions in conjunction with the monitoring régime. The Commission and the IAEA will report immediately to the Council when, in their view, this effective and sustainable régime is in place. The key element will be the continuing cooperation of Iraq.

I shall be happy to elaborate further on the above account in my oral presentation to the Council.

(Signed) Rolf EKÉUS
Executive Chairman
Office of the Special Commission

Enclosure

JOINT STATEMENT

1. On 4 and 5 July 1994, high-level talks were held in Baghdad by mutual agreement between a delegation from the Government of Iraq, led by the Deputy Prime Minister, Mr. Tariq Aziz, on the one hand and, on the other, a delegation from the Special Commission, led by its Executive Chairman, Ambassador Rolf Ekéus, and the International Atomic Energy Agency (IAEA), led by its Action Team Leader, Professor Maurizio Zifferero. The purpose of the discussions was to review the progress made by both sides in the implementation of paragraphs 8 to 13 of section C of Security Council resolution 687 (1991) and other related Security Council resolutions.

2. Discussion focused upon respective assessments of the stages which have been reached in connection with the two principal responsibilities of the Special Commission and the IAEA: the identification and destruction or rendering harmless of Iraq's capabilities for and weapons of mass destruction; and the putting in place and operation of an effective system of monitoring and verification as approved by Security Council resolution 715 (1991). Members of the Security Council have expressed interest in hearing the outcome of this review before commencing their forthcoming deliberations in July 1994.

3. The Special Commission and the IAEA agreed that the first of these tasks was almost complete, with the destruction and rendering harmless of declared and otherwise identified prohibited weapons and capabilities. It was agreed that the Commission, the IAEA and Iraq would endeavour, as soon as possible, to complete this task. What remained would be addressed at the earliest opportunity through further technical discussion and independent verification.

4. On the second of the tasks indicated above, the Commission, the IAEA and Iraq noted with great satisfaction that, through their best endeavours and the high degree of cooperation achieved, substantial progress had been made in all the areas covered by the system for ongoing monitoring and verification. The Commission indicated that baseline inspections and monitoring protocols in the missile area had been completed, as had the tagging of Iraq's remaining shorter-range missiles. Tagging equipment to be monitored was under way. In the chemical area, monitoring protocols had been completed for the principal facilities directly involved. Similar protocols for remaining facilities, primarily oil refineries and fertilizer plants, were planned for completion in the next two months. Some seventy facilities for baseline inspections in the biological area had been identified and

protocols would be prepared within the same time-frame. In the nuclear area, the IAEA indicated that the system for environmental monitoring was now well established and anticipated its ongoing development. Having received from Iraq the supplementary information required under the IAEA plan for ongoing monitoring and verification, the IAEA is in the possession of adequate information to support its monitoring activities. The Commission and the IAEA indicated that the plans for the installation of sensors in all of the foregoing areas were well advanced and procurement of additional equipment was under way. The Baghdad Centre for ongoing monitoring and verification should be provisionally operational in the course of September 1994. It is the objective of the Commission and the IAEA to have the monitoring system operational in September 1994.

5. The Iraqi delegation stressed the view that it has completed on its part all actions contemplated in the relevant provisions of section C of resolution 687 (1991) and that, consequently, the Security Council should immediately apply paragraph 22 of the said resolution without any restrictions or further conditions.

6. The Special Commission and the IAEA noted with appreciation the constructive cooperation received from Iraq and the efforts made by the competent Iraqi authorities in the conduct of their tasks. The Commission, the IAEA and Iraq agreed to continue the dialogue to further the carrying out of the objectives of the relevant provisions of the Security Council's resolutions.

5 July 1994
Baghdad